

Department of Energy

§ 712.32

the HRP position to the Chief Health, Safety and Security Officer. The hearing officer's report and recommendation must be accompanied by a copy of the record of the proceedings. The Chief Health, Safety and Security Officer shall forward to the DOE Deputy Secretary a recommendation to either recertify or revoke the certification of an individual in the HRP.

[69 FR 3223, Jan. 23, 2004, as amended at 71 FR 68731, Nov. 28, 2006]

§ 712.23 Final decision by DOE Deputy Secretary.

Within 20 working days of the receipt of the Chief Health, Safety and Security Officer's recommendation, the Deputy Secretary should issue a final written decision. A copy of this decision must be sent by certified mail (return receipt requested) to the Manager and to the individual accompanied by a copy of the hearing officer's report and the transcript of the certification review proceedings.

[69 FR 3223, Jan. 23, 2004, as amended at 71 FR 68731, Nov. 28, 2006]

Subpart B—Medical Standards

§ 712.30 Applicability.

This subpart establishes standards and procedures for conducting medical assessments of DOE and DOE contractor individuals in HRP positions.

§ 712.31 Purpose.

The standards and procedures set forth in this subpart are necessary for DOE to:

- (a) Identify the presence of any mental/personality disorders, physical, or behavioral characteristics or conditions that present or are likely to present an unacceptable impairment in reliability;
- (b) Facilitate the early diagnosis and treatment of disease or impairment and foster accommodation and rehabilitation;
- (c) Determine what functions an HRP-certified individual may be able to perform and to facilitate the proper placement of individuals; and
- (d) Provide for continuing monitoring of the health status of individuals to facilitate early detection and

correction of adverse health effects, trends, or patterns.

§ 712.32 Designated Physician.

(a) The Designated Physician must be qualified to provide professional expertise in the area of occupational medicine as it relates to the HRP.

(b) The Designated Physician must:

- (1) Be a graduate of an accredited school of medicine or osteopathy;
- (2) Have a valid, unrestricted state license to practice medicine in the state where HRP medical assessments occur;
- (3) Have met the applicable HRP instruction requirements; and
- (4) Be eligible for the appropriate DOE access authorization.

(c) The Designated Physician is responsible for the medical assessments of HRP candidates and HRP-certified individuals, including determining which components of the medical assessments may be performed by other qualified personnel. Although a portion of the assessment may be performed by another physician, physician's assistant, or nurse practitioner, the Designated Physician remains responsible for:

- (1) Supervising the evaluation process;
- (2) Interpreting the results of evaluations;
- (3) Documenting medical conditions or issues that may disqualify an individual from the HRP;
- (4) Providing medical assessment information to the Designated Psychologist to assist in determining psychological fitness;
- (5) Determining, in conjunction with DOE if appropriate, the location and date of the next required medical assessment; and
- (6) Signing a recommendation about the medical fitness of an individual for certification or recertification.

(d) The Designated Physician must immediately report to the SOMD any of the following about himself or herself:

- (1) Initiation of an adverse action by any state medical licensing board or any other professional licensing board;
- (2) Initiation of an adverse action by any Federal regulatory board since the last designation;